

AZ-040-1790-5  
(Rev. 08/02)

### **Categorical Exclusion Documentation**

**CER Number:** AZ-050-2005-0009

**Date:** 12-02-2004

**Applicant:** Melvin and Charlene Herbert

**Case File:** AZA 23213

**Location:**

T. 4 S., R. 23 E.,  
    sec 7, SWSE;  
    sec 26, SWNW, SESE;  
T. 5 S., R. 23 E.,  
    sec 1, NENW;  
T. 5 S., R. 24 E.,  
    sec 6, NWSW, SWSE;  
T. 6 S., R 25 E.,  
    sec 15, SESW;  
T. 10 S., R. 26 E.,  
    sec 21, NWNE;  
    sec 27, NESW;  
T. 10 S. R. 26 E.,  
    sec 10, NWNW.

Gila and Salt River Meridian, Arizona.

**Project:** Land use permit for apiary sites (AZA 23213)

**DESCRIPTION:** Mr. and Mrs. Herbert are seeking to renew their land use permit for apiary sites on public lands. The sites listed above have been previously used as apiary sites by the above applicant as well as other apiary permit holders. The proposal is for a three year land use permit. The apiary sites are accessed via dirt roads or directly off major highways. No new clearing or leveling will take place.

**Categorical Exclusion No:** 516 DM 6, Appendix 5, E. 19.

This states: "Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition."

**The Proposed action conforms with the following Land-Use Plan:**   X   YES        NO

The proposed action conforms with the Safford District Resource Management Plan (RMP) and Final EIS and Records of Decision approved in part, Part I – September 1992 and Part II – July 1994. According to page 22 of the RMP, "Rights-of-way, leases and permits will be considered

on a case-by-case basis, in accordance with the decisions of (the) Resource Management Plan.”

**CHECKLIST**

**EXCEPTION APPLIES  
(YES/NO)**

|   |                  |
|---|------------------|
| (1) Health & Safety                             | <b><u>NO</u></b> |
| (2) Unique Resources                            | <b><u>NO</u></b> |
| (3) Controversial                               | <b><u>NO</u></b> |
| (4) Risks                                       | <b><u>NO</u></b> |
| (5) Precedent                                   | <b><u>NO</u></b> |
| (6) Cumulative                                  | <b><u>NO</u></b> |
| (7) Cultural & Historical                       | <b><u>NO</u></b> |
| (8) T.& E. Species                              | <b><u>NO</u></b> |
| (9) Violates Executive Orders<br>11988 or 11990 | <b><u>NO</u></b> |
| (10) Violates Law                               | <b><u>NO</u></b> |

**Comments on the exceptions listed above:**

An interdisciplinary team reviewed the proposal and found that none of the ten exceptions above apply. It was determined that there would be no adverse impact. The Safford Field Office specialists participated in the interdisciplinary team review:

Tim Goodman, Wildlife Biologist  
Anna Rago, Archaeologist  
Phillip Cooley, Natural Resource Specialist  
Michelle Cox, Natural Resource Specialist

**Categorical Exclusion Review (CER)**

Compliance and assignment of Responsibility: Ultimate responsibility for compliance with the terms and conditions of the right-of-way grant will be that of the right-of-way holder. It will be our responsibility to ensure that these terms and conditions are met.

Monitoring and assignment of Responsibility: The Safford Field Office, primarily through the Lands Staff, will be responsible for monitoring the right-of-way to ensure that the terms and conditions are being met.

Required Stipulations:

1. Special stipulations for apiary permits.

I have reviewed the proposed action using the Categorical Exclusion Review (CER) process described in BLM Manual H-1790-1 pages II-1 and II-2 and appendix 4. The proposed action does not seem to conflict with major land-use plans and will not have major adverse impacts on other resources. Therefore, it does not represent an exception, and is categorically excluded from further environmental review.

Prepared by: Roberta Lopez Date: 12/29/04  
Realty Specialist

Reviewed by: /S/ Marlo Draper Date: 1/10/05  
Planning and Environmental Coordinator

Approved by: /S/ Tom Schnell Date: 1/11/05  
Assistant Field Office Manager for Resource Use and Protection

